UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/005,113	12/05/2001	Sandra Lynn Carrico	2001-0450	9439

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EXAMINER
CERVETTI, DAVID GARCIA

ART UNIT	PAPER NUMBER
2136	

DATE MAILED: 07/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	10/005,113	CARRICO ET AL.
	Examiner	Art Unit	
	David G. Cervetti	2136	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _12 May 2005_.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-11_ is/are pending in the application.

　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-11_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _12 May 2005_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a)☐ All   b)☐ Some * c)☐ None of:

　　　　1.☐ Certified copies of the priority documents have been received.

　　　　2.☐ Certified copies of the priority documents have been received in Application No. _____.

　　　　3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
　　　　　　application from the International Bureau (PCT Rule 17.2(a)).

　　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
　　Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
　　Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   Applicant's arguments filed May 12, 2005, have been fully considered but they

are not persuasive.

Response to Amendment

2.   The examiner withdraws the objection to the drawings.

3.   The examiner withdraws the objection to the terms "PPTP", "CMOS", and "PIN".

4.   The examiner withdraws the objection to claim 6.

5.   Regarding claim 1, Examiner directs Applicant's attention to column 4, lines 18-

27 of DeTreville, where it clearly states that the system provides a user with access to

network resources, thus configuring the device to different networks. Applicant's clarifies

in page 10, lines 15-21 of the amendment, that a laptop can be connected to various

networks. It is claimed that a network peripheral device is configured to different

networks, not that the device may access different networks, configured does not imply

or suggest accessing different networks.

Specification

6.   The abstract of the disclosure is objected to because it exceeds **150** words in

length. Correction is required. See MPEP § 608.01(b).

        Applicant is reminded of the proper language and format for an abstract of the

disclosure.

        The abstract should be in narrative form and generally limited to a single

paragraph on a separate sheet within the range of 50 to 150 words. It is important that

the abstract not exceed 150 words in length since the space provided for the abstract

on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Claim Rejections - 35 USC § 103

7.   The text of those sections of Title 35, U.S. Code not included in this action can

be found in a prior Office action.

8.   **Claims 1-4, 6-9 are rejected under 35 U.S.C. 103(a) as being unpatentable**

over DeTreville (US Patent Number: 6,609,199) and further in view of Schneier et

al. (US Patent Number: 5,768,382) and Fielder et al. (US Patent Number:

6,105,133).

Regarding claim 1, DeTreville teaches a security mechanism for enabling a user

to commence a session between a network peripheral device and a network (column 4,

lines 18-22), comprising: an immutable memory element that contains first information

including application software that initiates and provides security services (column 4,

lines 35-40); a persistent memory element that contains second information to enable

the security mechanism to configure the network peripheral device to different networks

(column 5, lines 15-20); a volatile memory element that contains third information,

including the critical data for authentication, said third information erased from the

volatile memory at the completion of each connection session (column 5, lines 18-24).

However, DeTreville does not disclose expressly a tamper-evident enclosure for

enclosing the memory elements. Schneier et al. teach a tamper-evident enclosure for

enclosing the memory elements (column 8, lines 15-27). Fielder et al. teach a volatile

memory element that contains third information, including the critical data for

authentication, said third information erased from the volatile memory at the completion

of each connection session (column 4, lines 59-67, column 5, lines 1-4). DeTreville,

Schneier et al., and Fielder et al. are analogous art because they are directed to a
similar problem solving area – authentication systems. At the time of the invention it
would have been obvious to a person of ordinary skill in the art to: house memory
components in a tamper evident enclosure to reveal any attempt to physically open the
structure, and to store critical data for authentication on volatile memory to avoid
misappropriation. Therefore, it would have been obvious to a person of ordinary skill in
the art to combine the teachings of Schneier et al. and Fielder et al. with the method of
DeTreville for the benefit of authentication systems to obtain the invention as specified
in claim 1.

Regarding claim 2, DeTreville, Schneier et al., and Fielder et al. teach the
limitations as set forth under claim 1 above. Furthermore, DeTreville teaches wherein
the security services include authentication of the security mechanism itself (column 4,
lines 35-38) and authentication of the user to the network upon receipt of identification
information from the security mechanism and the user (column 23, lines 4-14),
respectively.

Regarding claim 3, DeTreville, Schneier et al., and Fielder et al. teach the
limitations as set forth under claim 1 above. Furthermore, DeTreville teaches wherein
the immutable memory contains a private key for encrypting the user and security
mechanism identification information (column 22, lines 15-25).

Regarding claim 4, DeTreville, Schneier et al., and Fielder et al. teach the
limitations as set forth under claim 1 above. Furthermore, DeTreville teaches wherein
the immutable memory comprises a Read-only Memory (ROM) (column 5, lines 16-18).

Regarding claim 6, DeTreville, Schneier et al., and Fielder et al. teach the limitations as set forth under claim 1 above. Furthermore, DeTreville teaches wherein the persistent memory comprises at least one of one of a Complementary Metal Oxide Semiconductor Random Access Memory (CMOSRAM) and a Programmable Read Only Memory (PROM) (column 5, lines 16-18).

Regarding claim 7, DeTreville, Schneier et al., and Fielder et al. teach the limitations as set forth under claim 1 above. Furthermore, Fielder et al. teach wherein the volatile memory comprises a random access memory (column 4, lines 59-67, column 5, lines 1-4).

Regarding claim 8, DeTreville, Schneier et al., and Fielder et al. teach the limitations as set forth under claim 1 above. Furthermore, Schneier et al. teach wherein the tamper evident enclosure readily exhibits any attempt to gain access there through to the memory elements enclosed therein (column 8, lines 15-27).

Regarding claim 9, DeTreville, Schneier et al., and Fielder et al. teach the limitations as set forth under claim 1 above. Furthermore, Schneier et al. teach wherein the physical security of the security mechanism depends on the degree of tamper resistance of the enclosure (column 8, lines 15-27).

9.   **Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over DeTreville, Schneier et al., and Fielder et al. as applied to claim 4 above, and further in view of Borza (US Patent Number: 6,721,891).**

Regarding claim 5, DeTreville, Schneier et al., and Fielder et al. teach the limitations as set forth under claim 4 above. However, DeTreville, Schneier et al., and

Fielder et al. do not disclose expressly wherein the immutable memory further includes a Write-once ROM. Borza teaches wherein the immutable memory further includes a Write-once ROM (column 11, lines 10-17). DeTreville, Schneier et al., Fielder et al., and Borza are analogous art because they are directed to a similar problem solving area – authentication systems and data protection. At the time of the invention it would have been obvious to a person of ordinary skill in the art to use write-once read only memory to prevent software from being overwritten. Therefore, it would have been obvious to a person of ordinary skill in the art to combine the teachings of Borza with the method of DeTreville, Schneier et al., and Fielder et al. for the benefit of authentication systems and data protection to obtain the invention as specified in claim 5.

10.   **Claims 10-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over DeTreville and further in view of Fielder et al.**

Regarding claim 10, DeTreville teaches a method for facilitating a secure connection session with a user between a network peripheral device and a network (column 4, lines 18-22), comprising the steps of: accessing an immutable memory element that contains first information that provides security services (column 4, lines 35-40); accessing a persistent memory element that contains second information including configuration information to enable the security mechanism to configure the network peripheral device to the network (column 5, lines 15-20); accessing a volatile memory element that contains third information, including critical data for authentication (column 5, lines 18-24). However, DeTreville does not disclose expressly erasing said third information not later than the end of the connection session so no third information

remains in the volatile memory between sessions. Fielder et al. teach erasing said third

information not later than the end of the connection session so no third information

remains in the volatile memory between sessions (column 4, lines 59-67, column 5,

lines 1-4). DeTreville and Fielder et al. are analogous art because they are directed to a

similar problem solving area – authentication systems. At the time of the invention it

would have been obvious to a person of ordinary skill in the art to store critical data for

authentication on volatile memory to avoid misappropriation. Therefore, it would have

been obvious to a person of ordinary skill in the art to combine the teachings of Fielder

et al. with the method of DeTreville for the benefit of authentication systems to obtain

the invention as specified in claim 10.

Regarding claim 11, DeTreville and Fielder et al. teach the limitations as set forth

under claim 10 above. Furthermore, DeTreville teaches wherein the security services

include authentication of the security mechanism itself (column 4, lines 35-38) and

authentication of the user to the network upon receipt of identification information from

the security mechanism and the user (column 23, lines 4-14), respectively.

Conclusion

11.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

12.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to David G. Cervetti whose telephone number is (571) 272-

5861. The examiner can normally be reached on Monday-Friday 7:00 am - 5:00 pm, off

on Wednesday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Ayaz R. Sheikh can be reached on (571) 272-3795. The fax phone number

for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

DGC

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